

R E M A R K S

Careful review and examination of the subject application are noted and appreciated.

Applicants thank Examiner Psitos for the indication of allowable matter in claims 5, 7, 11, 13, 14 and 20-28.

SUPPORT FOR THE CLAIM AMENDMENTS

Support for the claim amendments may be found in claims 1, 4, 5, 11 and 20. Thus, no new matter has been added and no new issues are believed to be raised.

TELEPHONE INTERVIEW SUMMARY

Applicants' representative, John Ignatowski, spoke with Examiner Psitos on November 3, 2004 via telephone regarding the status of a certified copy of a United Kingdom Application No. 0026105.7 mailed to the U.S. Patent and Trademark Office in June 2004. The Examiner verified that the UK application copy had been received and that priority back to the UK filing date had been perfected. No exhibits were shown. No other agreements were reached.

PRIORITY UNDER 35 U.S.C. §119

While discussed in the interview of November 3, 2004, the Examiner is respectfully requested to acknowledge in the written record the claim for foreign priority under 35 U.S.C. §119 to

United Kingdom Application No. 0026105.7, filed October 25, 2000. Since a certified copy of the priority UK application was received by the U.S. Patent and Trademark Office on June 15, 2004 (as indicated by the PAIR system and verbally confirmed by the Examiner during the November 3, 2004 telephone conversation with Applicants' representative), foreign priority should be perfected.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The rejection of claims 1-8, 10-15 and 20-28 under 35 U.S.C. §112, first paragraph, written description requirement is respectfully traversed and should be withdrawn.

Claim 1 provides holding a phase lock loop in a free-running state during a plurality of second periods when an intermittent clock signal is absent. The Office Action alleges on page 3 that there is no ability in the Application as originally filed to permit a free-running operation/state upon the detection of the plurality of second periods. In contrast, page 22, lines 3-10 of the application state:

However, upon detection 410-412 of a header region, the phase acquisition is suspended 414 and the wobble PLL 179 is prevented from moving off-phase or off-frequency (e.g., the output of the wobble PLL is held). At re-detection 416-418 of the wobble signal 164, the wobble PLL 179 returns to phase acquisition/maintenance and the process continues in an on-off operational mode determined by the presence or absence of a valid wobble signal. **The detection of an onset of each header region places the wobble PLL 179 in a free-run mode until the header region has passed,** thereby reducing the likelihood that the wobble PLL will loose lock during the header regions. (Emphasis added)

Furthermore, block 414 in FIG. 10 shows free-running the PLL each time a header is imminent following the YES branch of decision block 424. Using durations of the header regions as examples of the claimed plurality of second periods, the specification does clearly state that a PLL may be held in a free-run mode during the second periods. Independent claims 6, 10 and 13 provide language similar to claim 1. (Independent claim 12 has been canceled.) Therefore, the claimed subject matter is described in the specification as originally filed. As such, the claimed invention is compliant with 35 U.S.C. §112, first paragraph and the rejection should be withdrawn.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The rejection of claims 1-4 and 10 under 35 U.S.C. §102(e) as being anticipated by Eom '830 has been obviated in part by appropriate amendment, is respectfully traversed in part, and should be withdrawn.

The rejection of claims 1-3, 10 and 12 under 35 U.S.C. §102(e) as being unpatentable over Jeon '932 has been obviated by appropriate amendment and should be withdrawn.

The allowable matter of claim 5 and intermediate claim 4 has been incorporated into claim 1. The allowable matter of claim 11 has been incorporated into claim 10. Independent claims 9 and 12 have been canceled. As such, the presently claimed invention is fully patentable over the cited references and the rejections should be withdrawn.

Regarding claim 4 (now in independent form), the present invention has a priority date of October 25, 2000 that predates Eom. Therefore, Eom is not a valid 35 U.S.C. §102(e) reference. Furthermore, claim 4 is not subject to any other 35 U.S.C. §102 or §103 rejection. As such, the rejection to claim 4 based on Eom should be withdrawn and claim 4 should be allowed.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

The rejection of claims 1-4 and 10 under 35 U.S.C. §103(a) as being unpatentable over Eom in view of Katoh '311 has been obviated in part by appropriate amendment, is respectfully traversed in part, and should be withdrawn.

The rejection of claims 1-4 and 10 under 35 U.S.C. §103(a) as being unpatentable over Eom in view of Shim '902 has been obviated in part by appropriate amendment, is respectfully traversed in part, and should be withdrawn.

The rejection of claims 6, 8 and 15 under 35 U.S.C. §103(a) as being unpatentable over Jeon in view of Shim has been obviated by appropriate amendment and should be withdrawn.

The allowable matter of claim 5 and intermediate claim 4 has been incorporated into claim 1. The allowable matter of claim 20 has been incorporated into claim 6. The allowable matter of claim 11 has been incorporated into claim 10. As such, the presently claimed invention is fully patentable over the cited references and the rejections should be withdrawn.

Regarding claim 4 (now in independent form), the present invention has a priority date of October 25, 2000 that predates Eom. Therefore, Eom is not a valid 35 U.S.C. §103(a) reference. Furthermore, claim 4 is not subject to any other 35 U.S.C. §102 or §103 rejection. As such, the rejections to claim 4 based on Eom should be withdrawn and claim 4 should be allowed.

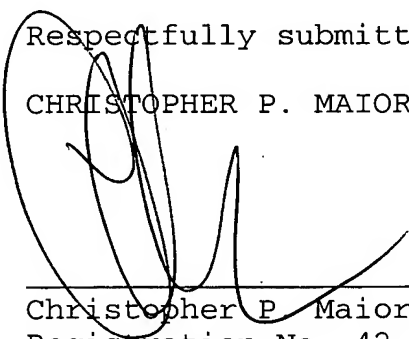
Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

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